

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER
11-CV-305

\$6,500.00 UNITED STATES CURRENCY,

Defendant.

This case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(A). On July 20, 2011, plaintiff filed a motion to strike the claim of claimant Lisa R. Houben. On September 9, 2011, Magistrate Judge Scott filed a Report and Recommendation, recommending that the claim of Lisa R. Houben be stricken due to a failure to prosecute her claim.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, plaintiff's motion is granted and the claim of Lisa R. Houben is stricken for failure to prosecute her claim. Plaintiff shall commence any proceedings under Fed. R. Civ. P. 55 within 30 days.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: September 26, 2011